

AFFIDAVIT OF DEPORTATION OFFICER RICHARD J. COLEMAN
IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Richard J. Coleman, being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Deportation Officer with the Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”), Enforcement and Removal Operations (“ERO”) assigned to the office of the Field Office Director (“FOD”), Boston, Massachusetts, and have been so employed since August of 2002. I have been employed as an immigration officer in a full time, continuous status for approximately 20 years. I am currently assigned to the ERO Criminal Prosecutions (“ECP”) unit and have been so since June of 2020. In 2002, I attended the Immigration Officer Basic Training Course. I have received training and experience in the enforcement of the immigration laws of the United States and the detection and apprehension of aliens who are in the United States unlawfully. I am assigned to investigate cases involving persons who have illegally reentered the United States after having been deported and other violations of the Immigration and Nationality Act. I know that it is a violation of Title 8, United States Code, Section 1326, to reenter the United States after deportation without having received the express consent of the Secretary of the Department of Homeland Security to reenter.

2. The information contained in this affidavit is based upon information from my investigation, as well as information provided to me by other law enforcement agents and agencies, a review of criminal history records, and a review of documents from the Alien File #xxx-xxx-311 (“A-File”) associated with an individual named Miguel Angel Gomez-Lopez (“GOMEZ”) d/o/b: xx/xx/1995.

3. This affidavit is submitted in support of a criminal complaint and arrest warrant charging GOMEZ with Unlawful Reentry of Deported Alien, in violation of Title 8, United

States Code, Section 1326(a). This affidavit is submitted for the limited purpose of establishing probable cause to secure a criminal complaint and arrest warrant. In submitting this affidavit, I have not included each and every fact known to me and other law enforcement officers concerning this investigation. Instead, it only contains facts sufficient to establish probable cause in support of a criminal complaint and the issuance of an arrest warrant.

OVERVIEW OF INVESTIGATION

4. GOMEZ entered the United States on an unknown date at an unknown place without being admitted or paroled by an immigration officer.

5. On or about August 24, 2017, U.S. Border Patrol encountered GOMEZ near the Rio Grande Valley, TX. U.S. Border Patrol processed GOMEZ for Expedited Removal. On August 25, 2017, GOMEZ was ordered removed and was personally served a copy of the Order of Removal.

6. On or about September 1, 2017, GOMEZ was removed from the United States to Guatemala. At the time of his removal, his fingerprint, photograph, and signature were obtained and affixed on the I-296, Notice to Alien Ordered Removed/Departure Verification form.

7. On an unknown date on or before October 11, 2017, at an unknown place, GOMEZ reentered the United States without having been admitted or paroled by an immigration officer. Furthermore, he had not sought or received permission from the Secretary of Homeland Security to reenter the United States.

8. On or about October 11, 2017, U.S. Border Patrol encountered GOMEZ in Hebbronville, TX. U.S. Border Patrol processed GOMEZ for Reinstatement of the Prior Order of Removal. On or about October 13, 2017, GOMEZ was removed from the United States to

Guatemala. At the time of his removal, his fingerprint, photograph, and signature were obtained and affixed on the I-205, Warrant of Removal.

9. On an unknown date, at an unknown place, GOMEZ reentered the United States without having been admitted or paroled by an immigration officer. Furthermore, he had not sought or received permission from the Secretary of Homeland Security to reenter the United States.

10. On June 1, 2023, GOMEZ was arrested by the Boston Police Department and charged with enticement of a minor to engage in prostitution, in violation of M.G.L. c. 265, §26D, engaging in sexual conduct with a child under age 18 for a fee, in violation of M.G.L. c. 272 §53A, drugging persons for sexual intercourse, in violation of M.G.L. c. 272 §3, furnishing alcohol to minors, in violation of M.G.L. c. 138 §34, and conspiracy. The case is still pending.

11. On June 1, 2023, U.S. Immigration and Customs Enforcement (“ICE”) became aware GOMEZ had reentered the United States following his arrest by the Boston Police Department.

12. As of the date of this Affidavit, GOMEZ is in the custody of the Suffolk County Sheriff’s Department. His bail is set at \$50,000. His next hearing is scheduled for June 30, 2023.


13. On or about June 26, 2023, a copy of the right index fingerprint that was taken at the time of GOMEZ’s prior removals on August 24, 2017 and October 13, 2017, and a copy of fingerprints taken from GOMEZ on June 1, 2023 by the Boston Police Department, were sent to the Federal Bureau of Investigation for comparison. The FBI has reported that the fingerprints are identical.

14. On or about June 7, 2023, I reviewed some of the documents contained in GOMEZ’s A-file and confirmed, among other things, that GOMEZ is a citizen and national of

Guatemala. The A-file also contains the removal verification documents referenced above. The departure verification and warrant of removal, as well as some of the other documents contained in GOMEZ's A-file, contain GOMEZ's fingerprint, photograph and signature. A review of GOMEZ's A-file also revealed no evidence that he has ever requested or received the express consent of the Secretary of the Department of Homeland Security to re-enter the United States following any of his deportations.

CONCLUSION

15. Based on the foregoing facts, I submit there is probable cause to believe that on or about June 1, 2023, GOMEZ, being an alien and having been excluded, removed, or deported from the United States on August 24, 2017 and October 11, 2017, was thereafter found in the United States without having received the express consent of the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a).



Richard J. Coleman
Deportation Officer
U.S. Immigration & Customs Enforcement

SWORN to telephonically in accordance with Fed. R. Crim. P. 4.1 on this date of June 29, 2023.



HONORABLE DONALD L. CABELL
UNITED STATES MAGISTRATE JUDGE

